**DECLARATION FOR UTILITY OR** 

**DESIGN** 

PTO/SB/01 (12-97)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

39740-0009A

numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

David Agus, et al.

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Attorn y Docket Number

First Named Inventor

PATENT APPLICATION						COMPLETE IF KNOWN						
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			required)		Exami	ner Name	Ur					
My I b	As a below named Inventor, I hereby declare that:  My residence, post office address, and citizenship are as stated below next to my name.  I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  GENE EXPRESSION MARKERS FOR RESPONSE TO EGFR INHIBITOR DRUGS											
L	(Title of the Invention)											
	the specification of which  ☑ is attached hereto OR											
	was filed on (Mi	W/DD/W	YYY)			as United	States Applic	ation Number	or PCT International			
Appl	cation Number	and	was amended	on (MM/DD	/YYY) [	(if applica	able).					
i hei amei	reby state that I handed by any amendr	ve revie nent spe	ewed and und cifically referr	derstand the ed to above.	contents	of the above i	dentified spe	cification, incl	uding the claims, as			
I ack	nowledge the duty to	disclos	e information	which is mat	erial to pa	tentability as de	fined in 37 CF	R 1.56.				
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.												
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(Page 1 of 2)

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## **DECLARATION** — Utility or Design Pat nt Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available

between the filing	date of	the prior applicati	ion and	the na	ational or I	CTI				e of this g Date			Patent Number	
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					egistered p	ractiti	ioner(s) n	ame/r	egistrat	ion num	ber listed			
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Additional regis	tered pr	actitioner(s) name	d on su	ppleme	ntal Regist	tered	Practition	ner Info	ormatio	n sheet l	PTO/SB/0	2C attac	ched hereto.	
Direct all correspo	Direct all correspondence to: Customer Number or Bar Code Label 25213 OR Correspondence address below													
Name	Ginge	er R. Dreger, Esq.	r R. Dreger, Esq.											
Address	Heller	Ehrman White 8	McAu	liffe, Ll	_P								· · · · · · · · · · · · · · · · · · ·	
Address	275 N	Middlefield Road												
City	Menlo	Park					State		A	ZIP	94025			
Country	USA		Tele	phone	650	324.	7000 Fax 650.324.0638							
I hereby declare the believed to be true; punishable by fine application or any p	and fur	rther that these sta sonment, or both,	atement	ts were	made wit	h the	knowled	ge tha	t willful	false st	atements	and the	like so made are	
Name of Sole	or Fir	st Inventor:				Αp	etition h	as be	en file	d for th	ls unsig	ned inv	entor	
Given	Name	(first and middle	e (if an	у)		Family Name or Surname								
		David	1							A	gus		2.	
Inventor's Signat	ure		$\searrow$	=	<del></del>						Date	2	12/04	
Residence: City		Beverly Hills	s	tate	CA		Count	try	١	JS	Citizens		us	
Post Office Addre	988	522 N. Cresce	nt Driv	е	·								_	
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City		Beverly Hills	St	tate	CA		ZIP	]	902	10	Count	тy	US	
☐ Additional inve	ntors ar	re heing named o	n the	-	unnlemen	tal A	dditional	Inven	tor(s) s	heet(s)	PTO/SR/	∩2A att	ached hereto:	

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## **DECLARATION**

## ADDITIONAL INVENTOR(S) Supplemental Sh et Page 3 of 3

Name of Additional Joint Inventor, if any:				☐ A petition has been filed for this unsigned inventor								
Given Name (first and middle (if any)				Family Name or Surname								
Steven				Shak								
Inventor's Signature							Date					
Residence: City	Hillsborough	State	C#	١	Country US		Citizenship		us			
Post Office Address	648 Fairway Circle											
Post Office Address												
City	Hillsborough	State	e CA		ZIP	94010	Country		us			
Name of Additional		A petition has been filed for this unsigned inventor										
Given Name	(first and middle (i	fany)		Family Name or Surname								
	Maureen			Cronin								
Inventor's Signature				Date								
City	Los Aitos	itos State C			Country	US	Citizenship		us			
Post Office Address	771 Anderson Dr	ive										
Post Office Address												
City	Los Altos	State	C#	١	ZIP	94024	Country		us			
Name of Additional	Joint Inventor,	if any:		A petition has been filed for this unsigned inventor								
Given Name	(first and middle (i	fany)	•	Family Name or Surname								
	Joffre			Baker								
Inventor's Signature					,		Date					
City	Montara	State	C#	١	Country	US	Citizenship		US			
Post Office Address	P.O. Box 371212											
Post Office Address					<b>y</b>							
City	Montara	State	C#		ZIP	94937	Country		US			

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As a below named inventor	, I hereby decla	re that;	•								
My residence, post office address, and citizenship are as stated below next to my name.											
I believe I am the original, names are listed below) of t	first and sole in	ventor (if only o	nde dame	is listed helow	nr an orioinal	, first and joint in the invention en	ventor (if plural				
		•									
GENE EXPRES	SION MAI	KERS FO	R RES	SPONSE T	O EGFR	INHIBITOR	R DRUGS				
	(Title of the Invention)										
the specification of which  is attached hereto  OR											
was filed on (MM/DI	ΣΛΥΥΥ)			as United	States Applica	ation Number or F	PCT International				
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I hereby state that I have re amended by any amendment	eviewed and un	nderstand the o	contents	of the above io	tentified speci	fication, including	g the claims, as				
			rial to pate	entability as defi	ined in 37 CFF	R 1.56.					
I acknowledge the duty to disclose Information which is material to patentability as defined in 37 CFR 1.56.  I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or _365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.											
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Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/S8/028 attached hereto.  As a named inventor, I heraby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademerk Office connected therewith:  OR  Registered practitioner(s) name/registration number listed below												
	lame		Rogis	stration		Marita J. I. Marita			Jeli Hotele Well	Registration		
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Additional regist	ered pri	actilioner(s) named	on supplem	entat Regis	tered Pr	ractitioner I	Informatio	n sheet F	TO/SB/02C	ettaci	hed hereto.	
Direct all correspondence to: Customer Number or Bar Code Label 25213 OR Correspondence address below												
Name	Ginge	er R. Dreger, Esq.				<del></del>				<u> </u>		
Name Address		ar R. Dreger, Esq.	McAuliffe, L	LP						<del></del> ,		
	Heller		McAuliffe, L	LP								
Address	Heller	Ehrman White &	McAuliffe, L	LP		State	CA	ZIP	94025			
Address Address	Heller 275 M	Ehrman White &	McAuliffe, L		.324.70		CA			538		
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## **DECLARATION**

ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3

						<del> </del>							
Name of Additional Joint Inventor, if any:				A petition has been filed for this unsigned inventor									
Given Namo (first and middle (if any)				Family Name or Surnamo									
Steven				Shak									
Inventor's Signature				Date 2/3/									
Residence: City	Hillsborough	State	C/	\	Country US		Citizenship		us				
Post Office Address	648 Fairway Circlo												
Post Office Address													
City	Hillsborough	State	C/	CA ZIP 9401			Country		us				
Name of Additional	Name of Additional Joint Inventor, if any:					A petition has been filed for this unsigned inventor							
Given Name	(first and middle (i	fany)	Family Name or Surname										
	Maureen		Cronin										
Inventor's Signature	The	ببسبه	~ 0	J. Cioni			Date	2	16/04				
City	Los Altos	State	G	A Country		ŲS	Citizenship		us				
Post Office Address	771 Anderson Dr	ive					•						
Post Office Address		`					_						
City	Los Altos	State	C	4	ZIP	94024	Country		US				
Name of Additional	Joint Inventor,	If any:			A petition h	nas been filed fo	r this unsig	ned	Inventor				
Given Name	(first and middle (i	f апу)	Family Name or Surnamo										
	Joffre		Baker										
Inventor's Signature	John	a B		zul.	W		Date		-12-104				
City	Montaga	State	C	A.	Country	us	Citizenship .		us				
Post Office Address	P.O. Box 371212												
Post Office Address									,				
City	Montara	State	C.	CA ZIP B49		94937	Country		ÚS				

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